

UNITED STATES DISTRICT COURT

MAR 15 2014

for the

Southern District of Texas

United States of America)

v.)

Isaac MEDINA YOB:1985 USC)

Defendant(s)

Clerk of Court

Case No. M-14-520-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/14/2014 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841

Possession with the intent to distribute
 approximately 328.5 kilograms of
 marijuana, a Schedule I controlled
 substance.

This criminal complaint is based on these facts:

On March 14, 2014, at approximately 10:50 a.m., McAllen, Texas Border Patrol BORTAC Operator Agent (BPA) Eduardo Cervantes was conducting lay-in operations in La Casita, Texas in an area notorious for narcotic smuggling. BPA Cervantes was positioned in a concealed location, and observed approximately several individuals emerge from the river bank on the United States of the Rio Grande River, bordering United States and Mexico. BPA Cervantes also observed a tan colored Chevy Tahoe, which was traveling south towards the subjects who had emerged from the riverside.

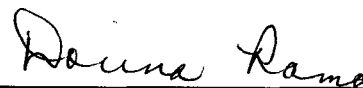
☒ Continued on the attached sheet.


Complainant's signature

Michael A. Burner DEA Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/15/2014


Judge's signature

City and state: Edinburg, Texas

U.S Magistrate Judge

Printed name and title

ATTACHMENT

On March 14, 2014, at approximately 10:50 a.m., McAllen, Texas Border Patrol BORTAC Operator Agent (BPA) Eduardo Cervantes was conducting lay-in operations in La Casita, Texas in an area notorious for narcotic smuggling. BPA Cervantes was positioned in a concealed location, and observed approximately several individuals emerge from the river bank on the United States of the Rio Grande River, bordering United States and Mexico. BPA Cervantes also observed a tan colored Chevy Tahoe, which was traveling south towards the subjects who had emerged from the riverside.

BPA Cervantes observed the Chevy Tahoe stop at the location with the subjects and observed several more individuals emerge from the river area carrying large bundles of suspected narcotics. BPA Cervantes observed approximately 10 individuals standing by the Chevy Tahoe, who began loading the bundles into the Chevy Tahoe. BPA Cervantes proceeded to advise mobile BP units of the activity, and BORTAC Operator Agent (BPA) Agent Arnulfo A. Cortes responded to the location. BPA Cervantes observed after the vehicle was loaded, that the Chevy Tahoe left location traveling north bound on South Cemetery Road.

BPA Cortes was traveling in his marked BP unit on Farm to Market 1430, approaching South Cemetery Road. BPA Cortes proceeded to turn south on South Cemetery Road from Farm Market 1430, and observed the Chevy Tahoe traveling north bound towards his location approaching the intersection. BPA Cortes proceeded to stop his marked unit in front of the Chevy Tahoe, due to observing the vehicle, which the Chevy Tahoe also came to a complete stop approximately 3 vehicle car lengths in front of his unit. BPA Cortes observed the driver side door of the Chevy Tahoe to open in what appeared to be an attempt of the driver to abscond, however the driver remained in the vehicle.

BPA Cortes observed the Chevy Tahoe to accelerated at a high speed, driving towards his marked BP unit and making a head on impact, to the front distributor of his marked BP unit, causing the driver side airbag to deploy causing him to be disoriented. BPA Cortes observed and felt the Chevy Tahoe pushing his marked BP unit, with its front distributor backwards towards the intersection of South Cemetery Road and Farm to Market 1430.

Fearing for his safety and the Chevy Tahoe pushing him and his marked BP patrol unit to an opened intersection an oncoming traffic, he pulled his assigned service weapon and discharged four (4) rounds at the subject driving the Chevy Tahoe in an attempt to stop him from continuing the assault against him, ultimately stopping the subject actions.

BPA Cortes exited his service vehicle and began giving commands to the subject, who was subsequently taken into custody with no injury, with the assistance of BPA Jesse Arce and BPA Brenton Reveruzzi. The Chevy Tahoe was found to have 328.5 kilograms of marijuana that was seized and the driver identified as being Isaac MEDINA was taken into custody.

On March 14, 2014, TFO Michael Burner and SA Steven Sorensen responded to the Rio Grande City, Texas Border Patrol Station. TFO Burner, in the presence of SA Sorensen conducted an interview with Isaac MEDINA. TFO Burner proceeded to read the Miranda Rights in the English language to Isaac MEDINA as he requested. Isaac MEDINA acknowledged his Miranda Rights and waived their rights to an attorney.

Isaac MEDINA implicated himself to knowingly agree to transport an unknown quantity of marijuana that he had retrieved at the location from the individuals who loaded his mother's Chevy Tahoe. Isaac MEDINA stated that he was expecting to get paid \$1,000 dollars for the transport.